



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105**

30 April 2014

David Reynolds  
1919 South Eads Street, Suite 201  
Arlington, VA 22202  
dreynolds@iwpnews.com

Re: Freedom of Information Act Request EPA-R9-2014-004777

Dear Mr. Reynolds:

This is in response to your Freedom of Information Act request regarding:

Copies of all correspondence responding to, inquiring about or following up on EPA Region 9's Dec. 3 letter to the California Regional Water Quality Control Board - SF Bay Region and responsible parties.

The letter's subject is "EPA Region 9 Guidelines and Supplemental Information Needed for Vapor Intrusion Evaluations at the South Bay National Priorities List (NPL) Sites." It was written by Kathleen Salyer, assistant director of the Superfund Division of Region 9's California Site Cleanup Branch. Specifically, copies of any emails or letters to or from EPA Region 9 regarding the Region's vapor intrusion policy outlined in the Dec. 3 letter are requested.

The documents responsive to your request may be found at the following website:  
<https://foiaonline.regulations.gov/foia/action/public/home>. A link to this website, together with instructions for accessing your documents, will be e-mailed to you at the e-mail address you provided.

We are unable to provide you with one document which has been determined to be exempt from mandatory disclosure by virtue of 5 U.S.C. 552(b). A description of this document, along with the basis for withholding it, is as follows:

EPA internal e-mail dated January 20, 2014 regarding "HP/Varian Cold Weather Sampling Effort" [FOIA exempt FX7 (Enforcement Confidential) and DDP (Deliberative Process)]

You may appeal this partial denial to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: [hq.foia@epa.gov](mailto:hq.foia@epa.gov). Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW.

If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit.

The appeal may include as much or as little related information as you wish, as long as it clearly identifies the determination being appealed and includes the assigned FOIA request number (EPA-R9-2014-004777). For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Please contact Melanie Morash, Remedial Project Manager at (415) 972-3050, should you have any questions concerning this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Enrique Manzanilla", with a long horizontal flourish extending to the right.

Enrique Manzanilla  
Director  
Superfund Division